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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

1156.41270X00In re Application of: **Thomas MULLER et al**Application No.: **09/404,654**Filed: **September 24, 1999**For: **COMMUNICATION NETWORK**

The owner*, **Nokia Mobile Phones Limited**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent No. 6,639,905** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. **26,422**

Signature

Jan. 19, 2005

Date

Donald E. Stout

Typed or printed name

01/24/2005 EABUBAK1 00000100 09404654

01 Fee:1814

130.00 DP

(703) 312-6600

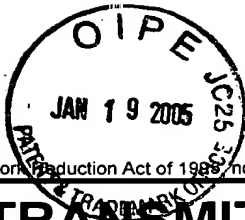
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**130.00**

Complete if Known

Application Number	09/404,654
Filing Date	9/24/1999
First Named Inventor	Thomas Muller et al
Examiner Name	Ronald B. Abelson
Art Unit	2666
Attorney Docket No.	1156.41270X00

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

Deposit Account Number	01-2135
Deposit Account Name	Antonelli, Terry, Stout & Kraus, LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee	Entity Fee	Small Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)		
1001 300	2001 150	150	Utility filing fee	
1002 200	2002 100	100	Design filing fee	
1003 200	2003 100	100	Plant filing fee	
1004 300	2004 150	150	Reissue filing fee	
1005 200	2005 100	100	Provisional filing fee	

SUBTOTAL (1)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	46	-56 = 0 x 50	= 00.00
Indep. Claims	16	-16 = 0 x 200	= 00.00

Multiple Dependent

Large Fee	Entity Fee	Small Fee	Fee Description
Code (\$)	Code (\$)	Code (\$)	
1202 50	2202 25	25	Claims in excess of 20
1201 200	2201 100	100	Independent claims in excess of 3
1203 360	2203 180	180	Multiple dependent claim, if not paid
1204 200	2204 100	100	** Reissue independent claims over original patent
1205 50	2205 25	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ **00.00**

**or number previously paid, if greater; For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65	65		Surcharge - late filing fee or oath	
1052 50	2052 25	25		Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	130		Non-English specification	
1812 2,520	1812 2,520	2,520		For filing a request for ex parte reexamination	
1804 920*	1804 920*	920*		Requesting publication of SIR prior to Examination action	
1805 1,840*	1805 1,840*	1,840*		Requesting publication of SIR after Examiner action	
1251 120	2251 60	60		Extension for reply within first month	
1252 450	2252 250	250		Extension for reply within second month	
1253 1000	2253 510	510		Extension for reply within third month	
1254 1,590	2254 795	795		Extension for reply within fourth month	
1255 2,160	2255 1,080	1,080		Extension for reply within fifth month	
1401 500	2401 250	250		Notice of Appeal	
1402 500	2402 250	250		Filing a brief in support of an appeal	
1403 1000	2403 500	500		Request for oral hearing	
1451 1,510	1451 1,510	1,510		Petition to institute a public use proceeding	
1452 500	2452 250	250		Petition to revive - unavoidable	
1453 1,500	2453 750	750		Petition to revive - unintentional	
1501 1,400	2501 700	700		Utility issue fee (or reissue)	
1502 800	2502 400	400		Design issue fee	
1503 1100	2503 550	550		Plant issue fee	
1460 130	1460 130	130		Petitions to the Commissioner	
1807 50	1807 50	50		Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	180		Submission of Information Disclosure Stmt	
8021 40	8021 40	40		Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	395		Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	395		For each additional invention to be examined (37 CFR § 1.129(b))	
1801 790	2801 395	395		Request for Continued Examination (RCE)	
1802 900	1802 900	900		Request for expedited examination of a design application.	

Other fee (specify) X Statutory Disclaimer

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130.00

130.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	DONALD E. STOUT	Registration No. (Attorney/Agent)	26,422	Telephone	(703) 312-6600
Signature		Date	01/19/2005		

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